

Applicant(s): Joseph Aranda et al.
U.S.S.N.: 09/944,625

B6
writing instrument can be configured to actuate the retractable tip such that the retractable tip is extended outwardly through an aperture in the cap.

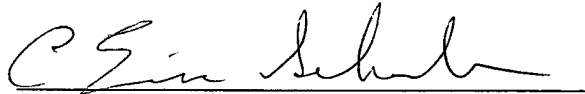
REMARKS

The present application is a Divisional Application under 37 CFR §1.53(b) of U.S. Patent Application No. 09/474,545 filed December 29, 1999, which claims priority from Provisional Application No. 60/135,894 filed May 26, 1999 and Provisional Application No. 60/114,521 filed December 31, 1998 all of which are herein incorporated by reference.

Applicants believe that this application is in condition for allowance and respectfully request entry of this amendment and allowance of the application. This amendment does not introduce new matter. The specification provides support for this amendment at various locations such as on page 3, between lines 28 and 34 and on page 7, between lines 7 and 32. If there are any questions regarding this amendment and these remarks, the Examiner is encouraged to contact the undersigned at the telephone number provided below.

The Commissioner is hereby authorized to charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 17853-039.

Respectfully submitted,



C. Eric Schulman, Esq. (Reg. No. 43,350)
Mintz, Levin, Cohn, Ferris
Glovsky and Popeo, P.C.
One Financial Center
Boston, MA 02111
Telephone 617/348-3005
Attorney for Applicants

Date: March 18, 2002

APPENDIX A

Version of Claim Amendments with Markings to Show Changes Made

21. (Amended) A cap for a writing instrument, the cap comprising:
a first end having a first aperture for receiving the writing instrument; [and]
a second end having a second aperture and a non-writing retractable tip disposed therein,
the retractable tip being adapted for interacting with a touch sensitive display, the retractable tip (200)
movable between a first normal position retracted substantially within the second aperture and a
second extended position; (220) and
(a tip extension element coupled to the retractable tip and disposed in the cap, the tip
extension element operative to cooperate with an end of the writing instrument to force the
retractable tip to extend outwardly from the second aperture to the second extended position.

26. (Amended) A writing instrument for alternatively writing on a surface and for
interfacing with a touch sensitive display, the writing instrument comprising:
an elongated body having a first end having a writing tip (215) and a second end (205); and
a cap having a first end (206) having a first aperture [with a retractable non-writing tip mounted
therein] for receiving one end of the elongated body and a second end (201) having a second aperture
with a retractable non-writing tip (210) mounted therein, the non-writing tip being adapted for use with
a touch sensitive display, [the second aperture being dimensioned to operatively connect the cap
to the first end and the second end of the writing instrument,] wherein [the first end and or] the
second end (207) of the writing instrument (220) cooperates with the cap (220) to extend the non-writing tip
outwardly from the second aperture.

29. (Amended) The writing instrument of claim 26, further comprising a source for
generating a signal for remotely communicating with [the] a personal digital device.

33. (Amended) A cap for an instrument, the cap comprising:
a first end (206) [having a first aperture for operatively connecting to] for positioning over an
end of the instrument;
a second end (221) having an [second] aperture (221), the [second] aperture having a non-writing
retractable tip (210) mounted therein, the retractable tip being adapted for use with a touch sensitive
display; and

γ [means for actuating] a tip extension element coupled to the retractable tip and disposed in the cap, the tip extension element operative to force the retractable tip to extend outwardly from [through] the [second] aperture upon cooperation of the instrument with the retractable tip.

36. (New) A cap for an instrument, the cap comprising:
a first end¹⁰⁶ for positioning over an end of the instrument²⁰⁰; and
a second end having an aperture²²¹, the aperture having a non-writing retractable tip²²¹
mounted therein, the retractable tip being adapted for use with a touch sensitive display, the
retractable tip¹²¹ movable between a first normal position retracted substantially within the second
aperture and a second extended position.



APPENDIX B

Version of Abstract with Markings to Show Changes Made

The present invention relates to a [A] cap containing a retractable tip adapted for
[interfacing] use with a touch sensitive display and to associated writing instruments. The cap
can be [configured to connect to] positioned over a non-writing end and/ or a writing end of [a
pen] the body of a writing instrument. The [pen] body of the writing instrument can be
configured [on either or both ends] to actuate the retractable tip such that the retractable tip is
extended outwardly through an aperture in the cap. [The cap can also be configured to connect
with other writing or non-writing instruments.]

TRA 1626693v1